



Karen A. Spranger

Macomb County
Clerk/Register of Deeds

Deputy Clerk

Jacqueline Ryan
Chief Deputy Register of Deeds

MACOMB COUNTY ELECTION COMMISSION SPECIAL MEETING September 7, 2017

**Probate Court Building
21850 Dunham Rd.
Mt. Clemens, MI 48043
10:30 a.m.**

AGENDA

- I. Call to Order
- II. Adoption of Agenda
- III. Public Participation
- IV. Approval of Minutes from August 17, 2017 Election Commission Meeting
- V. Judge Clarity and Factuality of Wording on six (6) Recall Petitions filed on August 24, 2017 for Joseph M. Nichols, City of Fraser Mayor
- VI. Approve November 7, 2017 Precinct Consolidation and Polling Location for Berlin Township, Precinct 1 (*Berlin Township and Riley Township portions of Armada Area Schools*)
- VII. Approve November 7, 2017 Precinct Consolidation and Polling Location for Armada Township, Precinct 2 (*Armada Township and Bruce Township portions of Armada Area Schools*)
- VIII. Unfinished Business
- IX. New Business
- X. Public Participation
- XI. Adjournment

Clerk's Office

120 North Main Street, 1st Floor
Mount Clemens, MI 48043
586-469-5120; Fax: 877-443-9505
macombgov.org/clerksoffice
clerksoffice@macombgov.org

Macomb County Jury Services

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NOTICE

MACOMB COUNTY ELECTION COMMISSION SPECIAL MEETING

Macomb County Clerk's Office
Election Department
(586) 469-5209

The Macomb County Election Commission will hold a **SPECIAL MEETING** on Thursday, September 7, 2017, at 10:30 a.m. in the Probate Court Building, 21850 Dunham Rd., Mount Clemens, to judge language factuality and clarity on recall petitions filed against Joseph Nichols, City of Fraser Mayor, and to approve precinct consolidations for the November 7, 2017 election.

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**MACOMB COUNTY ELECTION COMMISSION
SPECIAL MEETING
August 17, 2017
UNOFFICIAL MINUTES**

The Macomb County Election Commission met on Thursday, August 17, 2017, in the Macomb County Probate Court, 21850 Dunham, Mount Clemens.

Present: Judge Kathryn George – Senior Probate Judge
Larry Rocca – County Treasurer
Karen A. Spranger – County Clerk

Also Present: Roger Cardamone – Election Department
Frank Krycia – Office of Corporation Counsel
Michael Grix – Election Department
Joe Biondo – Treasurer's Office

CALL TO ORDER

Judge Kathryn George called the meeting to order at 1:30 p.m.

MOTION TO ADOPT AGENDA

A motion to adopt the agenda was made by Larry Rocca; seconded by Karen Spranger. The motion carried.

PUBLIC PARTICIPATION

Joseph Hunt, 8306 Stanley, Warren, MI 48093

Frank Krycia spoke regarding the availability of the meeting transcript. Judge George requested that the video of the meeting be on the website within three days of the meeting.

APPROVAL OF MINUTES

A motion to approve the minutes from the June 6, 2017 Election Commission meeting was made by Larry Rocca and seconded by Karen Spranger, with the following amendments put forth by Karen Spranger:

Under "Public Participation"

"Joe Hunt spoke." was changed to "Joseph Hunt, 8306 Stanley, Warren, MI 48093, spoke."

Under "New Business"

"None" was change to "The Election Commission requested Corporation Counsel to research the dissemination of the meeting's transcript and bylaws/procedures."

The motion carried.

JUDGE CLARITY AND FACTUALITY ON SUBMITTED PETITIONS

Petition 1: Tom Ryan spoke. (2055 Orchard Lake Road, Sylvan Lake, MI 48320)
Thomas LaDuke spoke. (16436 Clarkson, Fraser, MI 48026)
Tom Ryan spoke. (2055 Orchard Lake Road, Sylvan Lake, MI 48320)
Nancy Berube spoke. (31245 Kelly, Fraser, MI 48026)
Joseph Hunt spoke. (8306 Stanley, Warren, MI 48093)
Thomas LaDuke spoke. (16436 Clarkson, Fraser, MI 48026)

Judge George and Larry Rocca voted to reject the petition. Karen Spranger voted to approve the petition. By a 2-1 vote, the petition was rejected.

Petition 2: A motion was made by Judge George and seconded by Larry Rocca allowing the petitioner to withdraw Petition #2, due to it being deficient on its face. The motion carried. The petitioner agreed to withdraw the petition.

Petition 3: Tom Ryan spoke. (2055 Orchard Lake Road, Sylvan Lake, MI 48320)
Thomas LaDuke spoke. (16436 Clarkson, Fraser, MI 48026)
Joseph Hunt spoke. (8306 Stanley, Warren, MI 48093)
Tom Ryan spoke. (2055 Orchard Lake Road, Sylvan Lake, MI 48320)
Thomas LaDuke spoke. (16436 Clarkson, Fraser, MI 48026)
Marty Prehn spoke. (Address unknown)

Judge George, Larry Rocca, and Karen Spranger voted to reject the petition. By a 3-0 vote, the petition was rejected.

Petition 4: Tom Ryan spoke. (2055 Orchard Lake Road, Sylvan Lake, MI 48320)
Thomas LaDuke spoke. (16436 Clarkson, Fraser, MI 48026)
Joseph Hunt spoke. (8306 Stanley, Warren, MI 48093)

Judge George, Larry Rocca, and Karen Spranger voted to reject the petition. By a 3-0 vote, the petition was rejected.

UNFINISHED BUSINESS

Joseph Hunt spoke. (8306 Stanley, Warren, MI 48093)

NEW BUSINESS

Karen Spranger requested follow-up regarding bylaws/procedures.

PUBLIC PARTICIPATION

Tom Ryan, 2055 Orchard Lake Road, Sylvan Lake, MI 48320
Joseph Hunt, 8306 Stanley, Warren, MI 48093

ADJOURNMENT

At 2:31 p.m. Judge George made a motion to adjourn the meeting; seconded by Larry Rocca. The motion carried.

Karen A. Spranger
Macomb County Clerk/Register of Deeds

INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

We, the undersigned registered and qualified voters of the Macomb County, Michigan, and State of Michigan, petition for the

calling of an election to recall JOSEPH W. NICHOLS from the office of Mayor in the County of MACOMB and State of Michigan, petition for the

At the Fraser City Council meeting on June 20, 2017, Mayor Joseph M. Nichols said "Excuse me, my name is not Jbe, its Mayor and that I hope is what you will address me as Mr. Mayer."

WARNING - A PERSON WHO KNOWINGLY SIGNS A RECALL PETITION MORE THAN ONCE OR SIGNS A NAME OTHER THAN HIS OR HER OWN IS VIOLATING THE PROVISIONS OF THE MICHIGAN ELECTION LAW.

FOR CLERK'S USE ONLY

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CERTIFICATE OF CIRCULATOR

The undersigned circulator of the above petition asserts that he or she is 18 years of age or older and a United States citizen; that each signature on the petition was signed in his or her presence and was not obtained through fraud, deceit or misrepresentation; that he or she has neither caused nor permitted a person to sign the petition more than once and has no knowledge of a person signing the petition more than once; and that, to his or her best knowledge and belief, each signature is the genuine signature of the person purporting to sign the petition, the person signing the petition was at the time of signing a registered elector of the City or Township listed in the heading of the petition, and the elector was qualified to sign the petition.

If the circulator is not a resident of Michigan, the circulator shall make a cross [X] or check mark [✓] in the box provided, otherwise each signature on this petition sheet is invalid and the signatures will not be counted by a filing official. By making a cross or check mark in the box provided, the undersigned circulator asserts that he or she is not a resident of Michigan and agrees to accept the jurisdiction of this state for the purpose of any legal proceeding or hearing that concerns a petition sheet executed by the circulator and agrees that legal process served on the Secretary of State or a designated agent of the Secretary of State has the same effect as if personally served on the circulator.

CIRCULATOR — DO NOT SIGN OR DATE CERTIFICATE UNTIL AFTER CIRCULATING PETITION.

(Signature of Circulator) _____ (Date) _____
 (Printed Name of Circulator) _____

(Complete Residence Address [Street and Number or Rural Route]) - [Do not enter a post office box]

(City or Township, State, Zip Code)

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INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

We, the undersigned registered and qualified voters of the Macomb and State of Michigan, petition for the

calling of an election to recall JOSEPH M. NICHOLS from the office of MAYOR in the County of MACOMB and State of Michigan, petition for the

On July 13, 2017 Mayor Joseph M. Nichols voted to approve an 8 year waste removal contract with Green for Life, Inc..

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INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

3

We, the undersigned registered and qualified voters of the FRASER } Macomb and State of Michigan, petition for the

calling of an election to recall JOSEPH W. NICHOLS } Mayor from the office of Mayor in the County of Macomb and State of Michigan, petition for the

At the Fraser City Council meeting on February 11, 2016 Mayor Joseph M. Nichols muted the microphone while both Nancy Berube and Charisse Radhs spoke on agenda items.

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RECALL PETITION

4

We, the undersigned registered and qualified voters of the City FRASER and State of Michigan, petition for the
calling of an election to recall Village of Wacoomb for the following reason(s):

During the Fraser City Council meeting on May 30, 2017 Mayor Joseph M. Nichols accused members of the Fraser City Council of violating the Michigan Open Meeting's Act and collusion.

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INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

5

We, the undersigned registered and qualified voters of the City of FRASER, in the County of Macomb, and State of Michigan, petition for the

calling of an election to recall JOSEPH W. NICHOLS from the office of MAYOR (District, if Any) for the following reason(s):

On June 20, 2017 Fraser Mayor Joseph M. Nichols broadcast automated telephone messages identifying himself as the Mayor of Fraser without identifying who paid for the calls.

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INSTRUCTIONS ON REVERSE SIDE

RECALL PETITION

6

We, the undersigned registered and qualified voters of the City of FRASER in the County of Macomb and State of Michigan, petition for the

calling of an election to recall JOSEPH M. NICHOLS (Name of Officer) from the office of MAYOR (Title of Office) for the following reason(s):

A Tribunal has been requested by the Fraser City Council to investigate allegations of sexual harassment by Mayor Joseph M. Nichols against city employees.

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Karen A. Spranger

Macomb County
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Deputy Clerk

Jacqueline Ryan
Chief Deputy Register of Deeds

At a special meeting of the Macomb County Election Commission, held on the 7th day of September, 2017, a motion to approve Resolution 1-17 was made by _____ and seconded by _____

Resolution 1-17

Resolution to consolidate the Armada Area Schools District portions of Riley Township and Berlin Township in St. Clair County.

This precinct would be designated as Berlin Township Precinct 1 for school election purposes and the polling location would be the Berlin Township Senior Center, 740 Capac Rd., Berlin Township.

The Berlin Township clerk is an “opt-in” clerk and will conduct the election in this precinct.

The Riley Township clerk will not conduct the election but will notify affected voters of the polling location change for this election.

A certified copy of this resolution will be forwarded to the Center for Geographic Information.

AYES:

NAYES:

RESOLUTION DECLARED ADOPTED

CERTIFICATION

State of Michigan

County of Macomb

I, Karen A. Spranger, Clerk of the Election Commission, County of Macomb, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a Resolution as adopted by the Election Commission of Macomb County at a meeting held on September 7, 2017

Karen A. Spranger, Macomb County Clerk

Clerk's Office

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At a special meeting of the Macomb County Election Commission, held on the 7th day of September, 2017, a motion to approve Resolution 2-17 was made by _____ and seconded by _____

Resolution 2-17

Resolution to consolidate the Armada Area Schools District portions of Bruce Township and Armada Township, Precinct 2.

This precinct would be designated as Armada Township, Precinct 2 for school election purposes and the polling location would be the Armada Township Senior Center, 75400 North Avenue, Armada Township.

The Armada Township clerk is an “opt-in” clerk and will conduct the election in this precinct.

The Bruce Township clerk will not conduct the election but will notify affected voters of the polling location change for this election.

A certified copy of this resolution will be forwarded to the Center for Geographic Information.

AYES:

NAYES:

RESOLUTION DECLARED ADOPTED

CERTIFICATION

State of Michigan

County of Macomb

I, Karen A. Spranger, Clerk of the Election Commission, County of Macomb, State of Michigan, do hereby certify that the foregoing is a true and correct copy of a Resolution as adopted by the Election Commission of Macomb County at a meeting held on September 7, 2017.

Karen A. Spranger, Macomb County Clerk

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